



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 72*

FIFTY-EIGHTH LEGISLATURE

Wednesday, May 21, 2003

10th Day - 2003 1st Special

SENATE

SB 6082
SJM 8025
SCR 8409
SCR 8410

HOUSE

HB 2267-S
HB 2276
HB 2277
HB 2278
HB 2279
HB 2280
HB 2281
HB 2282
HJM 4028
HCR 4406
HCR 4407

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*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

House Bills

HB 2267-S by House Committee on Finance (originally sponsored by Representatives Gombosky, Sommers, Moeller, Cody, Conway, Fromhold and McIntire)

Providing revenue for the student achievement fund and the health services account. Revised for 1st Substitute: Modifying revenue provisions.

(AS OF HOUSE 2ND READING 4/26/03)

Improves funding for education by providing dedicated revenue from the following sources: (1) Eliminating the tax deductions for insurance guarantee funds;

(2) Additional taxes on liquor;

(3) Shortening the holding period for unclaimed property; and increasing penalties on underpayments of state excise taxes.

Requires the revenues from these sources to be deposited in the student achievement account and will provide three hundred dollars per pupil funding in school year 2005.

Improves funding for health care by providing dedicated revenue from the following sources: (1) An additional tax on cigarettes of fifty cents per pack; and

(2) Repealing the sales and use tax exemptions for candy and gum.

Requires the revenues from these sources to be deposited in the health services account and will provide funding for children's medical coverage up to two hundred fifty percent of the federal poverty level and enrollment in the basic health plan.

Declares that the changes in this act are intended to provide dedicated revenue sources for the student achievement fund and health services account. Since it is not practical to determine precisely the revenues derived from some of these changes, portions of sales tax revenue is dedicated in lieu thereof: (1)(a) During the 2003-05 fiscal biennium, one and three one-hundredths of one percent of all revenue from the tax imposed in RCW 82.08.020(1) shall be deposited in the student achievement fund. (b) During the 2005-07 fiscal biennium and thereafter, seven hundred thirty-eight one-thousandths of one percent of all revenue from the tax imposed in RCW 82.08.020(1) shall be deposited in the student achievement fund.

(2) Twenty-six one-hundredths of one percent of all revenue from the tax imposed in RCW 82.08.020(1) shall be deposited in the health services account.

(3) On or before January 1st of each year, the department of revenue shall provide the legislature with an updated estimate of the percentages of sales tax revenue attributable as dedicated revenue under this section. The updated estimates are not effective until adopted by the legislature.

Repeals RCW 48.32.145.

-- 2003 REGULAR SESSION --

Apr 26 FIN - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Placed on second reading.
1st substitute bill substituted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 50; nays, 48; absent, 0.

Apr 27 Returned to House Rules 3.

HB 2276 by Representatives Upthegrove, Schual-Berke, Sommers, Sullivan, Veloria, Hudgins, Romero, Chase, Dunshee, McIntire, McDermott, Hunt, Santos, Cody, Simpson, O'Brien, Kenney, Dickerson, Quall and Haigh

Establishing aviation mitigation zones for large regional airports.

Provides that, on or before October 1, 2003, the department shall establish an aviation mitigation zone for any large regional airport located in the state of Washington. An aviation mitigation zone shall only include the following:

(1) Cities with a population fewer than forty thousand adjacent to the city within which the large regional airport is located;

(2) Cities with a population fewer than ten thousand adjacent to a city qualifying for inclusion in the mitigation zone according to the criteria established by this act; and

(3) Any portion of any incorporated or unincorporated area that is within a 60 Ldn noise level contour of the large regional airport as determined by the aircraft noise measurement methodology described in 14 C.F.R., Appendix A to Part 150 -- Noise Exposure Maps, as of the effective date of this act.

Declares that, if any portion of a tract or parcel of real property is within an aviation mitigation zone established under this act, the entire tract or parcel is exempt from port taxes.

Declares that, if any portion of a tract or parcel of real property is within an aviation mitigation zone established under this act, the entire tract or parcel is exempt from property taxes levied for any state purpose.

-- 2003 REGULAR SESSION --

Apr 25 First reading, referred to Local Government.

HB 2277 by Representatives Newhouse, Moeller and McMahan

Establishing replevin procedures.

Revises replevin procedures.

-- 2003 REGULAR SESSION --

Apr 25 First reading, referred to Judiciary.

HB 2278 by Representatives Schual-Berke, Upthegrove, Dunshee, Sullivan, Priest, Pettigrew and McDermott

Providing for airport impact mitigation.

Directs the department of community, trade, and economic development to establish a competitive process to prioritize applications for airport impact mitigation assistance through the account created in this act.

Requires the director of the department of community, trade, and economic development to establish the airport impact mitigation advisory board comprised of persons in the airport impact area to assist the director in developing criteria and ranking applications under this act.

Declares that the airport impact area includes the incorporated areas of Burien, Normandy Park, Des Moines, SeaTac, Tukwilla, Kent, and Federal Way, and the unincorporated portion of west King county.

Directs the department of community, trade, and economic development to report on its activities related to the account created in this act by January 1, 2004, and each January 1st thereafter.

-- 2003 REGULAR SESSION --

Apr 27 First reading, referred to Trade & Economic Development.

HB 2279 by Representatives Morris, Crouse and Nixon

Concerning utility relocation reimbursement agreements.

Provides that, if an authority has a reimbursement agreement with any public or private utility provider for the costs associated with removal, adjustment, protection, relocation, restoration, or replacement of utility facilities affected by the construction, alteration, or repair of a rail fixed guideway system as defined in RCW 81.104.015, the authority shall make available the same terms and conditions to all affected utilities.

-- 2003 REGULAR SESSION --

Apr 27 First reading, referred to Technology, Telecommunications & Energy.

HB 2280 by Representatives Bush, Simpson, Talcott, Mielke, Carrell, Campbell, Conway, Benson, Haigh, Crouse, Wood, Clements, Skinner, Tom, Holmquist, Newhouse, Buck, Armstrong, Shabro, Ahern, Hinkle, McDonald, Pearson, Anderson, Woods, Nixon and McMahan

Providing militia death benefits.

Exempts the following students from the payment of all or a portion of tuition fees and services and activities fees:

The spouse of any member of the organized militia of Washington who lost his or her life or became totally disabled in the line of duty while in active state service, inactive duty, or the service of the United States as defined in RCW 38.04.010: PROVIDED, That such person may not receive the exemption more than seven years after the date of the member's death or total disability.

Provides that, if any member of the organized militia dies from disease contracted or injury received, or is killed while in active state service, inactive duty, or the service of the United States, a one hundred fifty thousand dollar death benefit shall be paid to the member's estate, or to such person, persons, trust, or organization as the member has nominated by written designation duly executed and filed with the adjutant general.

-- 2003 REGULAR SESSION --

Apr 27 First reading, referred to Appropriations.

HB 2281 by Representatives Flannigan, Darneille and McDermott

Requiring plans that provide coverage for prostheses to provide coverage for hearing aids.

Requires all health care agencies that provide coverage for prostheses to include coverage for hearing aids, provided that such services are delivered upon the recommendation of the patient's physician or advanced registered nurse practitioner as authorized by the nursing care quality assurance commission under chapter 18.79 RCW or physician assistant under chapter 18.71A RCW.

-- 2003 REGULAR SESSION --

Apr 27 First reading, referred to Health Care.

HB 2282 by Representatives Grant, DeBolt, Sommers, Clements, Gombosky, Mielke and Fromhold

Regulating electronic scratch ticket gaming.

Declares that electronic scratch tickets are a legal form of gambling in the state of Washington. In addition, any electronic games approved under RCW 9.46.360 are authorized to the same extent and in the same manner as electronic scratch tickets are owned, operated, and regulated under this act.

Provides that the maximum number of player terminals per licensed location is as follows: (1) To the top forty gross receipt charitable or nonprofit operations conducting bingo games, one hundred twenty-five player terminals per licensed location;

(2) To house-banked card rooms operating at least five house-banked card tables and to class 1 horse racing facilities, one hundred twenty-five player terminals per licensed location;

(3) To persons, associations, or organizations primarily engaged in the selling of food or drink for consumption on the premises and bona fide charitable or nonprofit organizations that conduct bingo games, or use punch boards, or pull-tabs as specified.

Provides that the maximum number of electronic scratch ticket game player terminals shall be determined as of January 1, 2003, for the initial allocation and January 1st of every year thereafter for future allocations.

Provides that the payment of prizes to the holders of winning tickets or shares shall not be less than seventy-five percent of the gross annual revenue from electronic scratch ticket games.

Declares that the net win, less the licensee's proportionate share set forth in this act, shall be transferred into the electronic scratch ticket account.

Declares that the money in the electronic scratch ticket account shall be used as specified by the act.

Provides that play of all electronic scratch ticket games is restricted to players who are twenty-one years of age or older. Electronic scratch ticket licenses shall not be issued to agents registered to sell lottery tickets in venues such as convenience stores or other locations readily accessible to minors, but shall be restricted to the authority granted by this act.

Provides that placement of player terminals for electronic scratch ticket games shall only be allowed on premises and in areas of premises meeting the liquor control board's requirements for barrier and signage as contained in WAC 314-02-050(1) as it exists on the effective date of this act and on the premises or portion of the premises where persons under twenty-one are not permitted.

Declares that electronic scratch ticket sales are limited to bona fide charitable or nonprofit organizations that conduct bingo games, punch boards, or pull-tabs, as authorized under RCW 9.46.0311; an association or organization primarily engaged in the selling of food and beverages for on-premise consumption that uses punch boards, pull-tabs, or house-banked card games operating at least five house-banked card tables as authorized under RCW 9.46.0325; and class 1 horse racing facilities. An electronic scratch ticket license may be revoked if the licensee fails to maintain a license in good standing pursuant to RCW 9.46.070.

Directs the department of social and health services to contract with a nonprofit entity incorporated in Washington state dedicated to the provision of public awareness, education, prevention, helpline services, treatment, professional training, counselor certification, research, and other services necessary to address problem and pathological gambling in Washington to implement a program that addresses problem or pathological gambling.

-- 2003 1ST SPECIAL SESSION --

May 19 First reading, referred to Commerce & Labor.

House Joint Memorials

HJM 4028 by Representatives Schual-Berke, Ruderman, Kagi, Dickerson, Kenney, McDermott, Darneille, Pettigrew, Miloscia, Haigh, Chase, Edwards, Morrell, Conway, Clibborn, Fromhold and O'Brien

Requesting that funds be promptly disbursed to Holocaust survivors.

Requests that funds be promptly disbursed to Holocaust survivors.

-- 2003 REGULAR SESSION --

Apr 25 First reading, referred to Financial Institutions & Insurance.

House Concurrent Resolutions

HCR 4406 by Representatives Kessler and DeBolt

Adjourning SINE DIE.

(DIGEST AS ADOPTED)

Adjourns SINE DIE.

-- 2003 REGULAR SESSION --

Apr 27 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

- IN THE SENATE -

Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

- IN THE HOUSE -
Speaker signed.

- IN THE SENATE -
President signed.

- OTHER THAN LEGISLATIVE ACTION -
Filed with Secretary of State.

HCR 4407 by Representatives Kessler and DeBolt

Exempting bills from the cutoff resolution.

Exempts designated bills from the cutoff resolution.

-- 2003 REGULAR SESSION --

Apr 27 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

- IN THE SENATE -

By resolution, returned to House Rules Committee for third reading.

Senate Bills

SB 6082 by Senators Parlette, Doumit and Rasmussen

Expanding the criteria for habitat conservation programs.

Amends RCW 79A.15.030 to provide that moneys appropriated for this chapter shall be divided as follows: (1) Appropriations of forty million dollars or less must be allocated equally between the habitat conservation account and the outdoor recreation account.

(2) If appropriations total more than forty million dollars, the money must be allocated as follows: (a) Twenty million dollars to the habitat conservation account and twenty million dollars to the outdoor recreation account; (b) any remaining amounts must be allocated as follows: (1) Thirty percent to the habitat conservation account; (2) thirty percent to the outdoor recreation account; (3) thirty percent to the riparian protection account; and (4) ten percent to the farmlands preservation account.

Provides that state agencies receiving grants for acquisition of land under RCW 79A.15.040 shall pay an amount in lieu of real property taxes and an additional amount for control of noxious weeds as determined in RCW 77.12.203.

Establishes the riparian protection account in the state treasury.

Establishes the farmlands preservation account in the state treasury.

-- 2003 REGULAR SESSION --

Apr 25 First reading, referred to Parks, Fish & Wildlife.

Senate Joint Memorials

SJM 8025 by Senators Parlette, Deccio, Winsley, Reardon, Brandland, Keiser, Benton, Carlson, Shin, Esser, Mulliken, Hale, Finkbeiner, Horn, Schmidt, Johnson, Doumit, Zarelli, McCaslin, Oke and Rasmussen

Urging Congress to repeal certain federal laws regarding prescription drug pricing.

Urges Congress to repeal certain federal laws regarding prescription drug pricing.

-- 2003 REGULAR SESSION --

Apr 25 First reading, referred to Health & Long-Term Care.

Senate Concurrent Resolutions

SCR 8409 by Senators Benton, Rossi and Esser

Exempting Senate Joint Memorials 8005 and 8006 from SCR 8400.

Exempts Senate Joint Memorials 8005 and 8006 from SCR 8400.

-- 2003 REGULAR SESSION --

Apr 16 Held on first reading.

SCR 8410 by Senators West and Brown

Returning bills to the house of origin.

Returns bills to the house of origin.

-- 2003 REGULAR SESSION --

Apr 27 Read first time, rules suspended, and placed on second reading calendar.
Rules suspended. Placed on Third Reading.
Third reading, adopted.

- IN THE HOUSE -

Read first time, rules suspended, and placed on second reading calendar.
Rules suspended. Placed on Third Reading.
Third reading, adopted.

- IN THE SENATE -

President signed.

- IN THE HOUSE -

Speaker signed.

- OTHER THAN LEGISLATIVE ACTION -

Filed with Secretary of State.

LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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